



FF CJA

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Gail C. Griffin
Type or print name

Gail C. Griffin
Signature

January 23, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Broadus et al.

Appl. No. 09/761,142

Filed: January 16, 2001

For: **Nucleic Acid Sequences From
Drosophila melanogaster That
Encode Proteins Essential For
Larval Viability And Uses Thereof**

Art Unit: TBD

Examiner: TBD

Atty Docket: PB/5-31133A

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

IN THE SPECIFICATION

Please replace the paragraph beginning at page 1, line 5, with the following rewritten paragraph:

-- The Sequence Listing associated with the instant disclosure has been submitted as a 1.37 megabyte file on CD-R (in duplicate) instead of on paper. Each CD-R is marked in indelible ink to identify the Applicants, Title, File Name (31133A-v2.ST25.txt), Creation Date (January 22, 2002), Computer System (IBM-PC/MS-DOS/MS-Windows), and Docket No. (PB/5-31133A). The Sequence Listing submitted on CD-R is hereby incorporated by reference into the instant disclosure. --

Broadus et al.
Application No. 09/761,142

REMARKS

In response to the Raw Sequence Listing Error Report (copy attached) Applicants have provided a substitute sequence listing on compact disc (in duplicate) as well as in computer readable form. The instant preliminary amendment is filed pursuant to MPEP 2426, which indicates that the amendment to the sequence listing should include a corresponding amendment to the description of the compact disc and the files contained thereon in the paper portion of the specification.

No new matter has been added. Attached hereto are marked-up versions of the changes made to the specification by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made." Entry of this amendment is respectfully requested.

Respectfully submitted,



J. Timothy Meigs
Attorney for Applicants
Registration No. 38,241

Syngenta Biotechnology, Inc.
P. O. Box 12257
Research Triangle Park, NC 27709-2257
Telephone: 919-541-8587
January 23, 2002